

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

MARTHA J. MCALLISTER, individually,
and the MARTHA J. MCALLISTER
REVOCABLE TRUST, MARTHA J.
MCALLISTER, TRUSTEE,

Case No. 1:09-cv-904

Hon. Paul L. Maloney,
Chief Judge

Plaintiffs,

v.

AMERICAN BENEFIT CONCEPTS, INC.,
A/K/A ABC SOLUTION, a Michigan corporation,
JASON JUBERG, individually, TRAVIS BENDER,
individually, DIVERSIFIED LIQUID ASSET
HOLDINGS, LLC, A/K/A DIVERSIFIED LIQUID
ASSET HOLDINGS, A/K/A DLAH, a Michigan
limited liability company, jointly and severally,

Defendants.

Attorney for Plaintiffs:

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**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE AND WITHOUT COSTS**

STIPULATION

NOW COMES, the Plaintiff, Martha J. McAllister, individually, and as Trustee of Martha J. McAllister Revocable Trust (hereinafter, collectively, "McAllister") and Defendant, Travis Bender, individually (hereinafter, "Bender"), by their respective counsel of record, to hereby STIPULATE and AGREE as follows:

IT APPEARING that McAllister and Bender have reached settlement of the issues in dispute between each other, as set forth in open court and as confirmed in a Settlement Agreement and Release, executed by McAllister and Bender and the terms and conditions of which are incorporated by reference herein.

IT IS HEREBY STIPULATED AND AGREED between these parties that all causes of action and stated claims in this proceeding, brought by McAllister against Bender in this Litigation, shall be dismissed with prejudice and without costs by entry of an Order of this Court. This Order will not fully and finally resolve all claims between McAllister and other named defendants in this Litigation and such action shall proceed in accordance with existing case scheduling orders.

IT IS HEREBY STIPULATED AND AGREED that this Court shall retain jurisdiction to enforce the terms of the Settlement Agreement and Release.

Dated: April 6, 2010

TOMKIW DALTON, PLC

By: /s/ Daniel P. Dalton

Daniel P. Dalton (P44056)

Attorney for Plaintiffs McAllister

Dated: April 12, 2010

BUTLER, TOWESON & PAYSENO – PLLC

By: /s/ George T. Perrett

George T. Perrett (P42751)

Attorneys for Defendant Travis Bender

ORDER

At a session of this Court,
held this ____ day of _____, 2010
in the City of Grand Rapids, State of Michigan,
United States of America;

PRESENT: HON. JOSEPH G. SCOVILLE
UNITED STATES MAGISTRATE JUDGE

IT IS SO ORDERED.

Honorable Joseph G. Scoville